

08-24-05

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PATENTS  
103140-0014U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of: )  
Andrew Sutherland et al. )  
Serial No.: 10/075,710 )  
Filed: February 14, 2002 )  
For: PEER-TO-PEER ENTERPRISE )  
STORAGE )  
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Examiner: Eataille, P.

Art Unit: 2186

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
March 23, 2005

"Express Mail" Mailing-Label Number: EV432393579US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE AFTER FINAL REJECTION**

We have carefully considered the Office Action dated November 23, 2004, in which claims 1, 2 and 19-21 are rejected as anticipated by the Traversat published application and the remaining claims are deemed to contain allowable subject matter. We thank the Examiner for sending copies of certain of the provisional applications from which the cited Traversat published application claims priority in response to our request. We note that the only provisional application that predates the priority date of the current application was not sent to us because of an apparent mistake – namely, provisional application 06/253,573 was sent and not 06/263,573.

As we stated in our earlier response, we contend that the Traversat published application does not anticipate, teach or suggest the current invention as set forth in

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